~~TOP SECRET//COMINT//NOFORN//20291123~~

NATIONAL SECURITY AGENCY
CENTRAL SECURITY SERVICE
FORT GEORGE G. MEADE, MARYLAND 20755-6000

26 February 2007

MEMORANDUM FOR THE CHAIRMAN, INTELLIGENCE OVERSIGHT BOARD

THRU: Assistant to the Secretary of Defense (Intelligence Oversight)

SUBJECT: (U//~~FOUO~~) Report to the Intelligence Oversight Board on NSA Activities - INFORMATION MEMORANDUM

(U//~~FOUO~~) Except as previously reported to you or the President, or otherwise stated in the enclosure, we have no reason to believe that any intelligence activities of the National Security Agency during the quarter ending 31 December 2006 were unlawful or contrary to Executive Order or Presidential Directive, and thus required to be reported pursuant to Section 1.7.(d) of Executive Order 12333.

(U//~~FOUO~~) The Inspector General and the General Counsel continue to exercise oversight of Agency activities by means of inspections, surveys, training, review of directives and guidelines, and advice and counsel. These activities and other data requested by the Board or members of the staff of the Assistant to the Secretary of Defense (Intelligence Oversight) are described in the enclosure.

BRIAN R. MCANDREW
Acting Inspector General

VITO T. POTENZA
General Counsel

(U//~~FOUO~~) I concur in the report of the Inspector General and the General Counsel and hereby make it our combined report.

KEITH B. ALEXANDER
Lieutenant General, U. S. Army
Director, NSA/Chief, CSS

Encl:
Quarterly Report

Approved for Release by NSA on 12-19-2014, FOIA Case # 70809 (Litigation)

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This Memorandum is Unclassified
Upon Removal of Enclosure

1. (U) INSPECTOR GENERAL ACTIVITIES

a. Reviews

~~(C//SI)~~ During this quarter, the Office of Inspector General (OIG) reviewed various intelligence activities of the National Security Agency/Central Security Service (NSA/CSS) to determine whether they were conducted in accordance with applicable statutes, Executive Orders (E.O.s), Attorney General (AG) procedures, and Department of Defense (DoD) and internal directives. With few exceptions, the issues presented were routine and indicated that the operating elements understand the restrictions on NSA/CSS activities.

(b)(1)
(b)(3)-P.L. 86-36

b. (U) Inspections

~~(S//REL~~ [redacted] Inspectors from [redacted] (b)(3)-P.L. 86-36 [redacted] and the NSA/CSS OIG completed a joint inspection of NSA/CSS Texas. The process to track [redacted] database access and the [redacted] developed by the Counterterrorism division were commendable; however, the intelligence oversight program suffers from fragmented management, a lack of consolidated control, and a lack of oversight at the program level. The NSA/CSS OIG will track the deficiencies and oversee corrective action.

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

2. (U) GENERAL COUNSEL ACTIVITIES

~~(C//SI)~~ The NSA/CSS OGC reviewed various intelligence activities of the NSA/CSS to determine whether they were conducted in accordance with applicable statutes, E.O.s, AG procedures, and DoD and internal directives. The OGC advised Agency elements on a number of questions, including the collection and dissemination of communications of or concerning U.S. persons; the reporting of possible violations of federal criminal law contained in Signals Intelligence (SIGINT) product; the testing of electronic equipment, and the applicability of the Foreign Intelligence Surveillance Act (FISA). With few exceptions, the issues presented were routine and indicated that the operating elements understand the restrictions on NSA/CSS activities.

Derived From: NSA/CSSM 1-52
Dated: 20041123
Declassify On: 20291123

3. (U) SIGINT ACTIVITIES

a. ~~(S//SI)~~ Collection Against U.S. Persons

(1) (U) Intentional

(b)(1)
(b)(3)-P.L. 86-36

a. ~~(TS//SI)~~ During this quarter, the Director, NSA/Chief CSS (DIRNSA/CHCSS) granted approval for consensual collection against [ ] U.S. persons. DIRNSA/CHCSS also approved non-consensual collection of [ ] U.S. companies openly owned and controlled by foreign governments, [ ] U.S. organization believed to support terrorist activity, [ ] agents of foreign powers during travel in the United States, [ ] U.S. citizens believed to have been [ ] held against their will in [ ] U.S. citizen taken hostage [ ] and [ ] believed to have been taken hostage [ ] DIRNSA/CHCSS-approved consensual collection against [ ] U.S. persons was routinely terminated this quarter.

b. ~~(S//SI)~~ The AG granted authority to collect the communications of [ ] U.S. persons overseas during this quarter.

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-18 USC 798
(b)(3)-50 USC 3024(i)

(2) (U) Unintentional

(b)(1)
(b)(3)-P.L. 86-36

(b)(1)
(b)(3)-P.L. 86-36

a. ~~(S//SI)~~ [ ] instances in which SIGINT analysts inadvertently collected communications to, from, or about U. S. persons while pursuing foreign intelligence tasking were reported this quarter. All of the incidents were reported to responsible oversight officials, and corrective actions were taken. Where appropriate, the following actions were taken:

- The selectors or telephone numbers for the affected collection were detasked [ ]
- Queries were aborted and deleted [ ]

(b)(3)-P.L. 86-36

- Intercepts were deleted and transcripts were removed from [ ] database. [ ]

(b)(3)-P.L. 86-36

- [ ] and the related query were deleted from [ ]

(b)(1)
(b)(3)-P.L. 86-36

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

- Inadvertent collection that had been [redacted] during the analysis phase of SIGINT production was removed from the [redacted] system. [redacted]

(b)(3)-P.L. 86-36

- A target account was delisted and related data was removed from the [redacted] portal.

b. ~~(S//SI)~~ Corrective actions to lessen the risk of recurrence included additional training and education, changes to internal controls, software changes, or discussions with our Intelligence Community partners responsible for Human Intelligence.

b. (U//~~FOUO~~) Dissemination of U.S. Identities

(1) (U) Intentional

~~(S//SI)~~ In accordance with section 7 of United States Signals Intelligence Directive (USSID) SP0018, U.S. identities were disseminated [redacted] times during this quarter. The following table shows the justification and the number of instances of dissemination. In the "Unmasked by Analyst" column, the U.S. identity was revealed in a serialized end product; in the "Unmasked at User Request" column, a U.S. identity was released to a user at the user's request.

(b)(1)
(b)(3)-P.L. 86-36

JUSTIFICATION	Unmasked by Analyst	Unmasked at User Request	TOTAL
7.2.c Necessary	[redacted]		
7.2.c.1 Foreign Official			
7.2.c.3 International Narcotics			
7.2.c.4 Criminal Activity			
7.2.c.7 U.S. Government Official			
TOTAL			

(2) (U) Unintentional

~~(S//SI)~~ During this quarter, [redacted] SIGINT products were cancelled because they contained the identities of U.S. persons, organizations, or entities. In all instances, the reports were either not reissued or were reissued with the proper minimization.

(3) (U) Raw Traffic Dissemination

a. ~~(S//SI)~~ **SIGINT Production Chain.** [redacted] (b)(1) (b)(3)-P.L. 86-36

[redacted] The SID ensures that the personnel are trained by the OGC on NSA/CSS's legal restrictions and on proper handling and dissemination of SIGINT data [redacted] Such persons working in or with SID during this quarter included representatives of [redacted] (b)(3)-P.L. 86-36

[redacted]

4. (U) Other Activities

a. (U//~~FOUO~~) Foreign Intelligence Surveillance Act (FISA) Incidents

(b)(1) (b)(3)-P.L. 86-36 (b)(1) (b)(3)-P.L. 86-36 (b)(3)-18 USC 798 (b)(3)-50 USC 3024(i)

(1) ~~(TS//SI//NF)~~ [redacted] NSA analysts recognized that the [redacted] speaking employees of a [redacted] had used telephones that were authorized for the collection of [redacted] employees. The use was traced back to [redacted] The telephone numbers associated with the U.S. persons were detasked. The collection was destroyed. No reporting resulted from the collection. (b)(1) (b)(3)-P.L. 86-36 (b)(3)-P.L. 86-36

(2) ~~(TS//SI//NF)~~ An NSA language analyst discovered that a telephone number had been detasked in [redacted] is a [redacted] This oversight resulted in collection [redacted] when the intercept was purged from the [redacted] database. No reporting resulted from the collection.

(3) ~~(TS//SI//NF)~~ Human error resulted in the targeting of a [redacted] Targeting of the [redacted] national had been terminated [redacted] when he left the United States in [redacted] The electronic mail (email) address was detasked [redacted] and collection that had occurred only on [redacted] was purged from the [redacted] database [redacted] (b)(1) (b)(3)-P.L. 86-36

(b)(1) (b)(3)-P.L. 86-36 (b)(3)-18 USC 798 (b)(3)-50 USC 3024(i) (b)(1) (b)(3)-P.L. 86-36 (b)(3)-50 USC 3024(i) (b)(3)-P.L. 86-36

(4) ~~(TS//SI//NF)~~ Human error resulted in the collection of [redacted] that were outside the time period authorized by the Foreign Intelligence Surveillance Court (FISC). Although [redacted] after the FISC order was signed on [redacted]. The documents were deleted [redacted] when the error was discovered [redacted]

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-18 USC 798
(b)(3)-50 USC 3024(i)

(5) ~~(TS//SI//NF)~~ Communications from an authorized target were collected after he entered the United States. [redacted] NSA learned [redacted] that the target had been in the United States from [redacted]. All target-associated collection was destroyed.

(b)(1)
(b)(3)-P.L. 86-36

(6) ~~(TS//SI//NF)~~ [redacted] NSA analysts terminated tasking on [redacted] at a FISA-targeted [redacted] in the United States when NSA learned that the [redacted] No reporting resulted from the unauthorized collection. NSA analysts are reviewing the database to determine if collection occurred.

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-18 USC 798
(b)(3)-50 USC 3024(i)

(7) ~~(TS//SI//NF)~~ Although the metadata for [redacted] telephone intercepts collected during the quarter [redacted] Collection was terminated, intercepts were deleted, and reports were cancelled.

(b)(1)
(b)(3)-P.L. 86-36

(8) ~~(TS//SI//NF)~~ [redacted] an analyst in the NSA [redacted] improperly disseminated unpublished SIGINT obtained through FISA collection. U.S. person information was passed via email to a [redacted] Upon recognition of the violation, NSA directed the destruction of the information. The [redacted] destroyed copies of the email [redacted]

(b)(3)-50 USC 3024(i)
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(b)(3)-P.L. 86-36

(9) ~~(TS//SI//NF)~~ [redacted] communications of U.S. persons. All collection ceased when an NSA linguist identified the unintentional violation [redacted]. All U.S. person conversations were deleted from the [redacted] database [redacted]

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-18 USC 798
(b)(3)-50 USC 3024(i)

(b)(3)-P.L. 86-36

(b)(1)
(b)(3)-P.L. 86-36